

EXHIBIT A

LEWIS N. KLAR, Q.C.

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DATE OF BIRTH: October 26, 1946
PLACE OF BIRTH: Montréal, Québec
MARITAL STATUS: Married, with two children
CITIZENSHIP: Canadian
MOTHER TONGUE: English
OTHER LANGUAGES: French

EDUCATIONAL BACKGROUND:

1963-1967	B.A., Honours, Sociology	McGill University
1967-1970	B.C.L., Faculty of Law	McGill University
1973	LL.M., Institute of Comparative Law	McGill University
September 1971	Admitted to Quebec Bar,	
December 2000	Admitted to the Alberta Bar	

ACADEMIC AWARDS:

Louis Rohrlick Prize in Public International Law
Institute of Comparative Law Scholarship

ACADEMIC POSITIONS:

1972-1973	LECTURER, Osgoode Hall Law School, York University
1973-1977	ASSISTANT PROFESSOR, University of Alberta
1977-1981	ASSOCIATE PROFESSOR, University of Alberta
1981-present	PROFESSOR, University of Alberta,
1980-1981	VISITING LECTURER, University of Auckland, Auckland, New Zealand,
1984	VISITING PROFESSOR, University of New South Wales, Sydney Australia,
1986-1987	MCCALLA RESEARCH PROFESSOR, University of Alberta
1990	SCHOLAR IN RESIDENCE, Arizona State University
1991	VISITING PROFESSOR, University of Western Australia
1994	ASSOCIATE DEAN, Faculty of Law, University of Alberta
1997-2002	DEAN, Faculty of Law, University of Alberta

2002	VISITING PROFESSOR, McGill University
2003	VISITING PROFESSOR, University of British Columbia
2006	VISITING PROFESSOR, University of San Diego School of Law
2005	VISITING PROFESSOR, National Law School of India University

HONOURS AND AWARDS:

2007	J.Gordin Kaplan Award for Excellence in Research (University of Alberta)
2005	Law Society of Alberta/Canadian Bar Association Alberta 2005 <i>Distinguished Service Award for Legal Scholarship</i>
2002	Appointed Queen's Counsel
2002	Certificate of Merit, Law Society of Alberta
	Honorary Member, Gold Key Society
	Honorary Member, Phi Delta Phi, Legal Fraternity

MAJOR UNIVERSITY AND FACULTY COMMITTEES:

1981-1986	Director, Graduate Studies Program, Faculty of Law
1994-1998	Chair, University Appeal Board
1996-1997	Alternate Member, University Academic Appeals Committee
1994	University of Alberta, Risk Management Committee
1993	University of Alberta, Ad Hoc Committee on Safety and Security on Campus
	University/AASUA Academic Welfare Committee
1980-1984	University Animal Welfare Policy Committee
1981; 1988-1990	Chairman, Faculty of Law Salaries and Promotions Committee
1988-1990	Academic Staff Association, Law Faculty Representative
1989-1990	General Faculty Council, Law Faculty Representative
	Management Board, Health Law Institute
	Co-Chair, Faculty of Law, 20/20 Anniversary Weekend
	University Discipline, Law & Order Impanelling Board
	University of Alberta, Academic Planning Committee, Dean's Representative
	University of Alberta, Presidents Advisory Committee on Employment Equity
	Chair: Staff Selection Committee; Alumni Relations and Fund Development Committee; Prizes and Awards Committee

OTHER FACULTY COMMITTEES:

Curriculum Committees; Prizes and Awards; Faculty Plan; Merit Review; Staff Selection; Retreat Committee: Retreat Follow-Up Committee; Alumni Relations & Fund Development; Perspectives Committee; 75th Anniversary Celebration Committee

OTHER POSITIONS:

2004-present	Government Of Alberta, Auto Insurance Rate Board Member
2003	Elected member of the American Law Institute
1997-2002	Treasurer, International Ombudsman Institute
	Canadian Council of Law Dean's Representative: Joint Committee On A Comprehensive Legal Plan
1997-2002	Honorary Benchers, Law Society of Alberta
	Education and Credentials Committee, Law Society of Alberta
	Viscount Bennett Scholarship Selection Committee, Law Society of Alberta
	Alberta Department of Justice, Policy Advisory Committee
	Alberta Department of Justice, Advisory Committee on Business Plan
1981-1984	Board of Directors, Legal Education Society of Alberta
1984	Board of Directors, Environmental Law Centre,
1974-1977	Chairman, Torts Subsection, Canadian Association of Law Teachers
1976	Consultant, Alberta Human Rights Commission
1982	Heritage Fund Scholarship Selection Committee

MAJOR PUBLICATIONS:**Books:**

Klar, editor, *Studies in Canadian Tort Law*, 1977 (Butterworths)

Klar, editor, *Canadian Cases on the Law of Torts*, Volumes 1-9, 1976-1979 (Carswell)

Linden & Klar, *Canadian Tort Law: Cases, Notes & Materials*, Supplement 1981, (Butterworths)

Linden & Klar, *Canadian Tort Law: Cases, Notes & Materials*, Supplement 1983, (Butterworths)

Wright, Linden & Klar, *Canadian Tort Law: Cases, Notes & Materials*, 8th edition, 1985, (Butterworths)

Klar, consultant, *Remedies in Tort*, Volumes 1-4 (Carswell), 1987

Wright, Linden & Klar, *Canadian Tort Law: Cases, Notes & Materials*, 9th edition, 1990 (Butterworths)

Klar, *Tort Law*, 1991 (Carswell)

Linden & Klar, *Canadian Tort Law: Cases, Notes & Materials*, 10th edition, 1994 (Butterworths)

Linden & Klar, *Canadian Tort Law: Cases, Notes & Materials*, 11th edition, 1999 (Butterworths)
 Klar, *Tort Law*, 2nd Edition, 1996 (Carswell)
 Klar, *Tort Law*, 3rd ed., 2003 (Carswell)
 Linden, Klar & Feldthusen, *Canadian Tort Law: Cases, Notes & Materials*, 12th edition, 2004 (Butterworths)

ARTICLES AND NOTES:

Klar, "The Contributory Negligence Act and The Tort-Feasors Act" 1974, Institute of Law Research and Reform, Alberta;
 Klar, "An Argument for the Restructuring of the Law of Trade Marks" (1974), 12 Osgoode Hall Law J. 223.
 Klar, "Contribution Between Tort-Feasors" (1975), 13 Alberta Law Rev. 359;
 Klar, "Contributory Negligence and Joint Tort-Feasors", in *Studies in Canadian Tort Law*, 1977;
 Klar, "Recent Developments in the Law of Damages" published in Alberta Law For the 80's;
 Klar, "Developments in Tort Law: The 1978-79 Term" (1980) 1 Supreme Court Law Review 311;
 Klar, "Comment on *J.R. Paine v. Strong*" (1980), 18 Alta. L.R. 515;
 Klar, "Developments in Tort Law: The 1979-80 Term" (1981), 2 Supreme Court Law Rev. 325;
 Klar, "Developments in Tort Law: 1980-81 Term" (1982), 3 Supreme Court Law Rev. 385;
 Klar, "Developments in Tort Law: The 1981-82 Term" (1983), 5 Supreme Court Law Rev. 273;
 Klar, "Annotation on *Houle v. Calgary*" (1983), 24 C.C.L.T. 276;
 Klar, "New Zealand's Accident Compensation Scheme: A Tort Lawyer's Perspective" (1983), 33 U. of T. Law Journal 80;
 Klar, "Developments in Tort Law: The 1982-83 Term" (1984), 6 Supreme Court Law Rev. 309;
 Klar, "Recent Developments in Canadian Law: Tort Law" (1985) Ottawa Law Review;
 Klar, "Negligence - A Turning Point" (1987), 66 Can. Bar Rev. 159;
 Klar, "A Commentary on the New Zealand Accident Compensation Scheme" (1988), 26 Alberta Law Review 319;
 Klar, "The Osborne Report: 'No' to No-Fault" (1989), Canadian Bar Review;
 Klar, "The Supreme Court of Canada: Extending The Tort Liability of Public Authorities" (1990), 28 Alberta Law Rev. 648;
 Klar, "Developments in Canadian Law: Tort Law" (1991), 23 Ottawa L. Rev. 177;
 Klar, "L'obligation de diligence en droit des delits civils: bilan et perspectives", in *Common Law d'un siecle l'autre*, ed., Pierre Legrand, Les Editions Yvon Blais, 1992
 Klar, "The Purpose of Negligent Accident Law: *Hall v. Hebert*" (1993), 72 Can. Bar Rev. 553;
 Klar, "Beyond Compensation: Dealing With Accidents In The 21st Century", International Workshop, (1993), 15 University of Hawaii Law Review
 Klar, "Falling Boulders, Falling Trees and Icy Highways: The Policy/Operational Test Revisited" (1994), 33 Alberta Law Review 167

- Klar, "*Punitive Damages In Canada: Smith v. Megafood*" (1995), 17 Loyola of Los Angeles International & Comparative Law Journal 809
- Klar, "The Role of Fault and Policy in Negligence Law", (1996) 55 Alberta Law Review 24.
- Klar, "Downsizing Tort" in N. Mullany & A. Linden, eds., *Torts Tomorrow: A Tribute to John Fleming*, (Sydney: Law Book Company, 1998) 305
- Klar, "Judicial Activism In Private Law" (2001), 80 Can. Bar Rev. 215
- Klar, "Foreseeability, Proximity and Policy" (2002) Advocates Quarterly
- Klar, "Intentional and Negligent Trespass: It Is Time To Clarify The Law" (2004), 28 Advocates Q. 410
- Klar, "The Defence of Necessity In Canadian Tort Law" (2005) Issues In Legal Scholarship (Berkeley, Electronic Press)

CASE ANNOTATIONS:

- Alaica v. Toronto* (1976), 1 C.C.L.T. 212 (Ont. C.A.)
- A.G. Ont. et al. v. Crompton* (1976), 1 C.C.L.T. 81 (Ont.)
- De Sousa v. Matos* (1976), 1 C.C.L.T. 71 (Ont.)
- Fenn et al. v. Corporation of the City of Peterborough et al.*, (1976) 1 C.C.L.T. 90 (Ont. C.A.)
- Goveia v. Lalonde et al.* (1976) 1 C.C.L.T. 273 (Ont. C.A.)
- Kelly v. Hazlett* (1976), 1 C.C.L.T. 1 (Ont.)
- Kinney v. Haveman* (1976), 1 C.C.L.T. 229 (B.C.)
- MacKay v. MacLellan* (1976), 1 C.C.L.T. 310 (N.S. C.A.)
- McMorran v. Dom. Stores Ltd. et al.* (1976), 1 C.C.L.T. 259 (Ont.)
- Man. Sausage Mtg. Co. v. Winnipeg* (1976), 1 C.C.L.T. 221 (Man. C.A.)
- Prior v. McNab* (1976), 1 C.C.L.T. 137 (Ont.)
- Taylor v. Weston Bakeries Ltd.* (1976), 1 C.C.L.T. 158 (Sask)
- Mintuck v. Valley River Band No. 63A et al.* (1977), 2 C.C.L.T. 1 (Man. C.A.)
- Drost v. Freightliners of Can. Ltd.* (1976), 2 C.C.L.T. 49 (Sask.)
- Cruise v. Niessen et al.* (1976), 2 C.C.L.T. 53 (Man.)
- MacKenzie v. Vance et al.* (1977), 2 C.C.L.T. 63 (N.S. C.A.)
- Voljvodin v. Woods et al.* (1977), 2 C.C.L.T. 86 (Ont.)
- Shaw v. Gorter* (1977), 2 C.C.L.T. 111 (Ont. C.A.)
- Walker et al. v. Sheffield Bronze Powder Co. Ltd.* (1977), 2 C.C.L.T. 97 (Ont.)
- Carmel Holdings Ltd. v. Atkins et al.* (1977), 2 C.C.L.T. 227 (B.C.)
- Nasser v. Rumford et al.* (1977), 2 C.C.L.T. 209 (Alta.)
- Barratt v. North Vancouver* (1977), 2 C.C.L.T. 157 (B.C.)
- Joseph Brant Memorial Hospital et al. v. Koziol et al.* (1977), 2 C.C.L.T. 170 (S.C.C.)
- Lepp v. Hopp* (1977), 2 C.C.L.T. 183 (S.C.C.)

Marks v. Campbell et al. (1977), 2 C.C.L.T. 149 (N.S.)
A Comment on Wade v. C.N.R. 3 C.C.L.T. 194
 Editor's Note: *Re Kenmuir v. Huetzelmann and Loedel v. Eckert* 3 C.C.L.T. 366
Stermer v. Lawson (1977) 3 C.C.L.T. 57 (B.C.)
Trueman v Sparling Real Estate Ltd. (1977) 3 C.C.L.T. 205 (B.C.)
Banks v. Reid (1977) 4 C.C.L.T. 1 (Ont. CA).
Giffels Associates Ltd. v. Eastern Const. Co. (1978) 4 C.C.L.T. 143 (SCC).
Gillis v. Crossman (1977) 4 C.C.L.T. 184 (NS SC).
Smith v. McInnis (1978) 4 C.C.L.T. 154 (SCC).
Assessment of Damages for Non-pecuniary Losses (1978) 5 C.C.L.T. 262 (Ont. CA).
Barratt v. North Vancouver (1978) 5 C.C.L.T. 303 (BC CA).
Bettel v. Yim (1978) 5 C.C.L.T. 66 (Ont. CC).
Bourbeau (Chartrand) v. Szabo (1978) 5 C.C.L.T. 124 (ALTA. CA).
Julian v. Nor. & Central Gas Corp (1978) 5 C.C.L.T. 148 (Ont.).
Lewis v. Todd (1978) 5 C.C.L.T. 167 (Ont. C.A.).
Mason v. Morrow's Moving & Storage Ltd. (1978) 5 C.C.L.T. 59 (B.C. C.A.).
Messineo v. Beale (1978) 5 C.C.L.T. 235 (Ont. C.A.).
A Comment on Whittingham v. Crease 6 C.C.L.T. 311
Central Can. Potash Co. v. Govt. of Sask. (1977) 6 C.C.L.T. 265 (S.C.C.)
Dodge v. Brudger (1978) 6 C.C.L.T. 71 (Ont. C.A.)
Malat v. Bjornson (1978) 6 C.C.L.T. 142 (B.C.)
Armstrong v. Stewart: Armstrong v. So (1978), 7 C.C.L.T. 164 (Ont.)
Charette v. Provenzano (1978), 7 C.C.L.T. 23 (Ont.)
Gallant v. Boklaschuk (1978), 7 C.C.L.T. 303 (Man.)
Keough v. Henderson Highway Branch No. 215 of Royal Can. Legion (1978), 7 C.C.L.T. 146 (Man. C.A.).
Lan v. Wu (1978), 7 C.C.L.T. 317 (B.C.)
Lucas v. Antoniak (1978) 7 C.C.L.T. 209 (B.C.)
McLaren v. B.C. Institute of Technology (1978), 7 C.C.L.T. 192 (B.C.)
Note on Barrister's Immunity From Suit (1978), 7 C.C.L.T. 21
Defence of "Fair Comment", The 8 C.C.L.T. 149
Demarco v. Ungaro (1979), 8 C.C.L.T. 207 (Ont.)
Good-Wear Treaders Ltd. v. D. & B. Holdings Ltd. (1978), 8 C.C.L.T. 87 (N.S. C.A.)

LAW REFORM:

"*The Contributory Negligence Act and The Tort-Feasors Act*," Report prepared for the Alberta Institute of Law Research and Reform;

"*Guest Passenger Legislation*" Report prepared for the Alberta Institute of Law Research and Reform;

"*Inter-Spousal Tort Immunity*," Report prepared for the Alberta Institute of Law Research and Reform;

"*Defence of Fair Comment*," Report prepared for the Alberta Institute of law Research and Reform.

BOOK REVIEWS:

E. Driedger, *Construction of Statutes*, Alberta Law Review;

J. Fleming, *The Law of Torts*, Ottawa Law Review;

R.V. Heuston, *Salmond on the Law of Torts*, Ottawa Law Review;

B. Feldthusen, *Economic Negligence*, University of Toronto Law Journal;

Dias & Markesinis, *Tort Law*, Can. Bar Review.

CONFERENCE AND SEMINAR PRESENTATIONS:

"The Tort Liability of the Crown: Back to *The Queen v Saskatchewan Wheat Pool*", Conference on Crown Liability", Osgoode Hall Law School Professional Development, Toronto, November 30, 2006

"Breach of Statute and Tort Law", Emerging Issues in Tort Law, University of Western Ontario, June 2006

"New Horizons in Tort Law", 2006 Canadian Legal Conference, St. John's, Newfoundland, August 2006

"The Defence of Necessity", University of San Diego Colloquium Series, San Diego, 2006

"The Defence of Necessity", Faculty Seminar, National Law School of India University, Bangalore India 2006

"*Duty of Care After Cooper v Hobart*", National Judicial Institute, Civil Law Program, Toronto 2005

"Causation", National Judicial Institute, Civil Law Program, Toronto 2005

"Vicarious Liability", Canadian Bar Association, Civil Litigation Subsection, Edmonton 2004

"Duty of Care", Canadian Bar Association, Insurance Law Subsection, Edmonton 2004/5

"Developments in Tort Law", British Columbia Continuing Legal Education, Vancouver 2003

"The Elements of the Duty of Care", National Judicial Institute, Tort Law Conference, Montreal 2002

"Social Institutions in Crisis: Mass Litigation and Its Aftermath", 2002 Canadian Legal Conference, Saskatchewan

"Update in Tort Law", National Judicial Institute, Prince Edward Island 2002

"Current Developments in Tort Law", Canadian Bar Association, 2002

- "Developments in Vicarious Liability", Canadian Bar Association, Civil Litigation Subsection, Edmonton
- "Causation in the Law of Torts", Canadian Bar Association, Insurance Law Subsection, ~~Edmonton~~ 2000
- "Liability Issues in Tort", Alberta Civil Trial Lawyers Association, Edmonton, 2000/01
- "Causation: Athey Revisited", Canadian Bar Association, Mid Winter Meeting, Alberta 2001
- "Judicial Activism In Private Law", Supreme Court of Canada 125th Anniversary Celebration Conference, Ottawa 2000
- "Civil Law Update", National Judicial Institute, St. John's Newfoundland 1999/2000
- "Current Developments In The Law of Torts, National Judicial Institute, London Ontario 1999/2000
- "Causation and Thin Skull", Court of Queen's Bench Education Seminar, Alberta 1998/99
- "The Death of Res Ipsa Loquitur", Canadian Bar Association, Alberta 1998/1999
- "Remoteness and Causation", National Judicial Institute, Halifax 1999
- "The Business Torts", National Judicial Institute, Halifax 1999
- "Update in Tort Law", Legal Education Society of Alberta, Edmonton and Calgary 1997
- "*A Commentary on Duncan Estate v Baddeley*", Canadian Bar Association, Wills Subsection, Edmonton 1998
- "*A Comment of Athey v Leonati*", Legal Education Society of Alberta, Edmonton and Calgary, 1998
- Key Note Speaker, Annual Judge's Dinner, Edmonton 1998
- "Trends in Tort in Canada: Products Liability", International Symposium on Civil Responsibility, 1996 Tokyo
- "Economic Loss In Canada", International Symposium on Civil Responsibility, 1996 Kyoto Japan
- "*Hill v Church of Scientology*", Canadian Bar Association, Media and Communication Subsection, Edmonton 1995/6
- "Recovery of Economic Loss", Legal Education Society of Alberta Legal Update, Edmonton and Calgary, 1995/6
- "Tort Liability of Builders and Other Professionals to Noncontracting Parties" Canadian Bar Association, Construction Law Subsection, and Civil Law Subsection, Calgary and Edmonton 1994/5
- "Public Tort Liability: Recent Developments", Alberta Government Civil Lawyers Association. Fall Conference, Edmonton 1994
- "Negligence Law: The Role of Fault", Legal Education Society of Alberta Banff Law Refresher Course, 1994/5
- "The Shifting Line- Contract and Tort Law", Canadian Bar Association Business Law Subsection, Alberta 1993/94
- "Damages for Breach of Contract versus Damages in Tort", Canadian Bar Association Alberta Mid Winter Meeting, Alberta 1993
- "Tort and Fiduciary Law: *Norberg v Wynrib*", Canadian Bar Association, Civil Law Subsection, Alberta 1993/4

- "Civil Liability of Public Authorities"; U.S.-Canada Legal Exchange Program, Ottawa 1992/93
- "Supreme Court of Canada and the Law of Torts", Legal Education Society of Alberta, Edmonton and Calgary, 1992/93
- "Accident Compensation", International Workshop, University of Hawaii, 1991/92
- "Law of Defamation", Center of Constitutional Studies Annual Conference, Edmonton 1989/90
- "No Fault Debate", Trial Lawyers of British Columbia, Vancouver 1989/90
- "Legal Liability and Professional Practice" Association of Professional Engineers and Architects, Edmonton 1989/90
- "Four Problems of Remoteness/Assessment of Damages", Canadian Bar Association, Civil Litigation Subsection, Edmonton 1988/89
- Keynote Speaker, Advocates Society, Toronto 1986
- "Assessment of Damages", Experts Seminar, Alberta Civil Trial Lawyers Association, Edmonton 1986
- "Tort Liability of Municipalities", Government Finance Officers Conference, Edmonton 1985/86
- "Developments In Tort Law: The Liability Insurance Crisis", Montebello Torts Professors Conference, Quebec 1985/86
- "Selected Problems in Damage Assessments", Canadian Bar Association, Civil Litigation Subsection, Edmonton 1985/86
- "Negligence Law In the 21st Century", Canadian Bar Association Annual Meeting, 1986
- "Emerging Causes Of Action In Torts", Melvin Belli Society, 1986
- "Liability of Manufacturers for Reproductive Drugs and Devices", National Association of Women and the Law Annual Conference, Ottawa, 1984/85
- "Civil Actions For Environmental Protection", Environmental Law Centre, Edmonton 1984/85
- "Generic Drugs", Edmonton Medical Legal Society, 1984/85
- "New Zealand Accident Compensation Scheme", Montebello Torts Professor Conference, Quebec 1982
- "Victim Compensation Relating to Hazardous Waste Disposal", Environmental Law Centre Roundtable, Edmonton 1983
- "The Effects of Statutory Breaches on Private Rights of Action, Canadian Association of Law Teachers Annual Conference, 1983
- "New Zealand's Accident Compensation Scheme", Canadian Bar Association, Civil Law Subsection, Edmonton 1982/83
- "Solicitor's Negligence: Contract or Tort", Learned Societies Annual Conference, 1981
- "Fault/No-Fault Debate", Cambridge Lectures, Cambridge 1981
- "Compensation For Personal Injuries: The Arguments Revisited" Faculty Seminar, University of Auckland 1979/80
- "Recent Developments in the Law of Solicitor's Negligence", Canadian Bar Association Mid Winter Meeting, Alberta 1979
- "Liability of Building Inspectors", Conference of Alberta Building Officials, Alberta 1977/78

"Recent Developments in the Law of Torts", Legal Education Society of Alberta 9th Annual Law Refresher Course, Banff, 1975/76

"Four O'Clock Series: Tort Law", Canadian Bar Association, Edmonton and Calgary 1974/75

JUDICIAL CITATIONS:

"Contribution Between Tort-Feasors" (1975) 13 Alta. Law Rev. 359 has been cited by:

- ALBERTA COURT OF APPEAL

Canada Deposit Insurance Corp. v. Prisco, [1996] 7 W.W.R. 30.

"Annotation" (1976) 1 C.C.L.T. 136 to 138 has been cited by:

- SASKATCHEWAN COURT OF APPEAL

Henderson v. Hagblom, [2003] 7 W.W.R. 590.

"Annotation to *Walker v. Sheffield Bronze Powder Co.*" (1976) 2 C.C.L.T. 97 has been cited by:

- NEW BRUNSWICK COURT OF APPEAL

Laviolette v. Canadian National Railway, [1989] 79 N.B.R. (2d) 110.

"Contributory Negligence and Contribution Between Tortfeasors" in *Studies in Canadian Tort Law* (1977) has been cited by:

- SUPREME COURT OF CANADA

Bow Valley Husky (Bermuda) Ltd. v. Saint John Shipbuilding Ltd., [1997] 3 S.C.R. 1210.

***Studies in Canadian Tort Law* (1977) (editor) has been cited by:**

- BRITISH COLUMBIA COURT OF APPEAL

Cempel v. Harrison Hot Springs Hotel Ltd., [1998] 6 W.W.R. 233.

"Annotation to *Cruise v. Niessen*" (1977) 2 C.C.L.T. 53 has been cited by:

- MANITOBA COURT OF QUEEN'S BENCH in 1 published decision.

"Annotation to *Marks v. Campbell*" (1977) 2 C.C.L.T. 149 has been cited by:

- BRITISH COLUMBIA COURT OF APPEAL

Schulz v. Leaside Developments Ltd., [1978] 5 W.W.R. 620.

- BRITISH COLUMBIA SUPREME COURT in 3 published decisions.

"Annotation to *Truman v. Sparling Real Estate Bd.*" (1977) 3 C.C.L.T. 205 has been cited by:

- NEW BRUNSWICK COURT OF APPEAL

Doiron v. Caisse populaire d'Inkerman Ltée, [1985] 17 D.L.R. (4th) 660.

"Note" (1979) 8 C.C.L.T. 1 has been cited by:

- BRITISH COLUMBIA COURT OF APPEAL

Toews v. Mackenzie, [1980] 4 W.W.R. 108.

"Annotation" (1979) 3 C.C.L.T. 57 has been cited by:

- BRITISH COLUMBIA COURT OF APPEAL

Stermer v. Lawson, [1980] 3 W.W.R. 92, 107.

- MANITOBA COURT OF QUEEN'S BENCH in 1 published decision.

"The Assessment of Damages for Non-Pecuniary Loss" (1979), 5 C.C.L.T. 262 has been cited by:

- SUPREME COURT OF CANADA

Lindal v. Lindal (No. 2), [1981] 2 S.C.R. 629.

- ONTARIO COURT OF APPEAL

Julian v. Northern & Central Gas Corp., [1979] 11 C.C.L.T. 1.

"Developments in Tort Law: The 1980-81 Term" (1982), 3 Supreme Court L. R. 385 has been cited by:

- NEW BRUNSWICK COURT OF APPEAL

Boucher v. Doiron, [2000] N.B.J. No. 382.

Kitchen v. McMullen, [1989] 62 D.L.R. (4th) 481.

"Developments in Tort Law: The 1981-82 Term" (1983) 5 Supreme Court L. R. 273 has been cited by:

- BRITISH COLUMBIA COURT OF APPEAL

- *Knutson v. Farr*, [1984] 5 W.W.R. 315.

- MANITOBA COURT OF QUEEN'S BENCH in 1 published decision.

- ONTARIO SUPERIOR COURT OF JUSTICE in 1 published decision.

"Developments in Tort Law: The 1982-83 Term" (1984) 6 Supreme Court L. R. 309 has been cited by:

- SASKATCHEWAN COURT OF QUEEN'S BENCH in 1 published decision.

"Negligence -- Reactions Against Alleged Excessive Imposition of Liability -- A Turning Point?" (1987) 66 Can. Bar Rev. 159 has been cited by:

- SUPREME COURT OF CANADA

Just v. British Columbia, [1989] 2 S.C.R. 1228.

- ALBERTA COURT OF APPEAL

Sturkenboom v. Davies, [1997] 2 W.W.R. 11.

Remedies in Tort (looseleaf, 1987) (consultant) has been cited by:

- ALBERTA COURT OF APPEAL

Ferraiuolo Estate v. Olson, [2005] 5 W.W.R. 1.

Klewchuk v. Switzer, [2003] 11 W.W.R. 284.

- ALBERTA COURT OF QUEEN'S BENCH in 28 published decisions.

- BRITISH COLUMBIA COURT OF APPEAL

Dunsmore v. Giannikos, [1994] 98 B.C.L.R. (2d) 311.

Dillon v. LeRoux, [1994] 6 W.W.R. 280.

- BRITISH COLUMBIA SUPREME COURT in 23 published decisions.

- TAX COURT OF CANADA in 1 published decision.
 - MANITOBA COURT OF APPEAL
 - Pollock v. Manitoba*, [2005] 250 D.L.R. (4th) 689.
 - Economy Foods & Hardware Ltd. v. Klassen*, [2001] 6 W.W.R. 104.
 - MANITOBA COURT OF QUEEN'S BENCH in 10 published decisions.
 - NEW BRUNSWICK COURT OF QUEEN'S BENCH in 2 published decisions.
 - NEW FOUNDLAND AND LABRADOR COURT OF APPEAL
 - John Doe v. Bennett*, [2002] 644 A.P.R. 310.
 - Pritchett (Guardian ad litem of) v. Gander (Town)*, [2001] 615 A.P.R. 45.
 - Kielley v. General Hospital Corp.*, [1997] 470 A.P.R. 163.
 - NEW FOUNDLAND SUPREME COURT (TRIAL DIVISION) in 5 published decisions.
 - NOVA SCOTIA COURT OF APPEAL
 - MacIsaac v. Deveaux*, [2004] 224 N.S.R. (2d) 315.
 - Tardif v. McGrath*, [2002] 203 N.S.R. (2d) 362.
 - Williams v. Mulgrave (Town)*, [2000] 183 N.S.R. (2d) 147.
 - Canada (Attorney General) v. Dingle Estate*, [2000] 181 N.S.R. (2d) 302.
 - Woods v. Hubley*, [1995] 146 N.S.R. (2d) 97.
 - Benson v. Jamieson*, [1993] 324 A.P.R. 347.
 - NORTHWEST TERRITORIES SUPREME COURT in 2 published decisions.
 - NOVA SCOTIA SUPREME COURT in 11 published decisions.
 - ONTARIO COURT OF APPEAL
 - Amertek Inc. v. Canadian Commercial Corp.*, [2005] 76 O.R. (3d) 241.
 - McIntyre Estate v. Ontario (Attorney General)*, [2001] 14 C.C.L.T. (3d) 223.
 - Wong v. 407527 Ontario Ltd.*, [1999] 179 D.L.R. (4th) 38.
 - Butterfield (Litigation Guardian of) v. Butterfield Estate*, [1996] 96 O.A.C. 262.
 - ONTARIO SUPERIOR COURT OF JUSTICE in 33 published decisions.
 - PRINCE EDWARD ISLAND SUPREME COURT (APPEAL DIVISION)
 - Pierlot Family Farm Ltd. v. Polstra*, [2006] 254 Nfld. & P.E.I.R. 312.
 - PRINCE EDWARD ISLAND SUPREME COURT (TRIAL DIVISION) in 2 published decisions.
 - SASKATCHEWAN COURT OF APPEAL
 - Van De Geer Estate v. Penner*, [2006] 7 W.W.R. 575.
 - SASKATCHEWAN COURT OF QUEEN'S BENCH in 19 published decisions.
- "The Supreme Court of Canada: Extending the Tort Liability of Public Authorities" (1990) 28 Alta. L. Rev. 648 has been cited by:**
- SUPREME COURT OF CANADA

Brown v. British Columbia (Minister of Transportation & Highways), [1994] 1 S.C.R. 420.

- FEDERAL COURT OF APPEAL

Comeau's Sea Foods Ltd. v. Canada (Minister of Fisheries & Oceans), [1995] 2 F.C. 467.

- ALBERTA COURT OF QUEEN'S BENCH in 1 published decision.

Canadian Tort Law: Cases Notes & Materials (1990) (co-authored with A.M. Linden and C.A. Wright) has been cited by:

- ALBERTA COURT OF QUEEN'S BENCH in 1 published decision.

Tort Law (1991) has been cited by:

- SUPREME COURT OF CANADA

Hall v. Hebert, [1993] 2 S.C.R. 159.

Queen v. Cognos Inc., [1993] 1 S.C.R. 87.

- ALBERTA COURT OF APPEAL

Jacques v. Passey (1999), 73 Alta. L.R. (3d) 392.

Duncan Estate v. Baddeley, [1997] A.J. No. 339.

Ed Miller Sales & Rentals Ltd. v. Caterpillar Tractor Co., [1996] 9 W.W.R. 449.

Parks West Mall Ltd. v. Jennett, [1996] 4 W.W.R. 87.

Royal Bank v. Wilton, [1995] 6 W.W.R. 285.

- ALBERTA COURT OF QUEEN'S BENCH in 28 published decisions.

- BRITISH COLUMBIA COURT OF APPEAL

Sidhu Estate v. Bains, [1996] 10 W.W.R. 590.

- BRITISH COLUMBIA SUPREME COURT in 8 published decisions.

- FEDERAL COURT OF APPEAL

Midland Hutterian Brethren v. R., [2000] 195 D.L.R. (4th) 450.

Levi Strauss & Co. v. Roadrunner Apparel Inc., [1997] 221 N.R. 93.

- FEDERAL COURT OF CANADA in 3 published decisions.

- MANITOBA COURT OF QUEEN'S BENCH in 2 published decisions.

- NEW FOUNDLAND AND LABRADOR COURT OF APPEAL

Mandavia v. Central West Health Care Institutions Board, [2005] 730 A.P.R. 107.

Redmond v. Densmore, [1997] 53 Nfld. & P.E.I.R. 181.

- NEW FOUNDLAND SUPREME COURT (TRIAL DIVISION) in 2 published decisions.

- NOVA SCOTIA COURT OF APPEAL

Barrett v. Reynolds, [1998] N.S.J. No. 344.

- NOVA SCOTIA SUPREME COURT in 2 published decisions.

- ONTARIO COURT OF APPEAL

Vanek v. Great Atlantic & Pacific Co. of Canada, [1999] 180 D.L.R. (4th) 748.

Deraps v. Labourer's Pension Fund of Central & Eastern Canada (Trustees of), [1999] 179 D.L.R. (4th) 168.

- ONTARIO SUPERIOR COURT OF JUSTICE in 13 published decisions.
- PRINCE EDWARD ISLAND SUPREME COURT (TRIAL DIVISION) in 1 published decision.
- SASKATCHEWAN COURT OF QUEEN'S BENCH in 2 published decisions.

"Recent Developments in Canadian Law: Tort Law" (1991) 23 Ottawa L. Rev. 177 has been cited by:

- SUPREME COURT OF CANADA
Proulx v. Québec (Procureur général), [2001] 3 S.C.R. 9.
- BRITISH COLUMBIA COURT OF APPEAL
British Columbia Ferry Corp. v. Invicta Security Service Corp., [1999] 4 W.W.R. 536.
- NEW BRUNSWICK COURT OF APPEAL
St. Amand v. Ouellette, [2006] NBCA 63.
- NEW FOUNDLAND AND LABRADOR COURT OF APPEAL
Stacey v. Anglican Churches of Canada (Diocesan Synod of Eastern Newfoundland & Labrador), [1999] 554 A.P.R. 1.

"No-Fault Insurance for Auto Accident Victims: A Background Paper" prepared for the Canadian Bar Association, Alberta Branch Task Force on Fault/No-Fault Insurance (1991) has been cited by:

- SUPREME COURT OF CANADA
Peixeiro v. Haberman, [1997] 3 S.C.R. 549.

***Canadian Tort Law: Cases, Notes and Materials* (10th ed. 1994) (co-authored by A.M. Linden) has been cited by:**

- SUPREME COURT OF CANADA
Non-Marine Underwriters, Lloyd's of London v. Scalera, [2000] 1 S.C.R. 551.
- NOVA SCOTIA SUPREME COURT in 1 published decision.
- SASKATCHEWAN COURT OF QUEEN'S BENCH in 1 published decision.

***Tort Law* (2nd ed. 1996) has been cited by:**

- SUPREME COURT OF CANADA
Prud'homme v. Prud'homme, [2002] 4 S.C.R. 663.
Ryan v. Victoria (City), [1999] 1 S.C.R. 201.
Fontaine v. British Columbia (Official Administrator), [1998] 1 S.C.R. 424.
- ALBERTA COURT OF APPEAL
Heller v. Martens, [2002] 9 W.W.R. 71.
Gosling v. Roper, [2002] 5 W.W.R. 79.
S. (J.A.) v. Gross, [2002] 5 W.W.R. 54.

MacCabe v. Westlock Roman Catholic Separate School District No. 110, [2002] 1 W.W.R. 610.

Kelly v. Lundgard, [2001] 9 W.W.R. 399.

369413 Alberta Ltd. v. Pocklington, [2001] 4 W.W.R. 423.

Stevenson Estate v. Siewert, [2001] 2 W.W.R. 517.

Blacklaws v. 470433 Alberta Ltd., [2000] 11 W.W.R. 476.

Chan v. Maguire, [1999] 2 W.W.R. 67.

Hougen v. Kuehn, [1997] A.J. No. 982.

Homes by Jayman Ltd. v. Kellam Berg Engineering & Surveys Ltd. (1997), 54 Alta. L.R. (3d) 272.

Costello v. Calgary (City), [1998] 1 W.W.R. 222.

Wickberg v. Patterson, [1997] 4 W.W.R. 591.

Ed Miller Sales & Rentals Ltd. v. Caterpillar Tractor Co., [1996] 9 W.W.R. 449.

- ALBERTA COURT OF QUEEN'S BENCH in 36 published decisions.

- BRITISH COLUMBIA COURT OF APPEAL

Edwards v. Khuong, [2002] 178 B.C.A.C. 191.

Chan v. Stanwood, [2002] 216 D.L.R. (4th) 625.

Lee v. Li, [2002] 100 B.C.L.R. (3d) 291.

British Columbia Ferry Corp. v. Invicta Security Service Corp., [1999] 4 W.W.R. 536.

- BRITISH COLUMBIA SUPREME COURT in 9 published decisions.

- FEDERAL COURT OF APPEAL

Kanematsu GmbH v. Acadia Shipbrokers Ltd., [2000] F.C.J. No. 978

- MANITOBA COURT OF QUEEN'S BENCH in 2 published decisions.

- NEW BRUNSWICK COURT OF QUEEN'S BENCH in 1 published decision.

- NEW FOUNDLAND AND LABRADOR COURT OF APPEAL

Atlantic Leasing Ltd. v. Newfoundland, [1998] 162 D.L.R. (4th) 54.

- NEW FOUNDLAND SUPREME COURT (TRIAL DIVISION) in 5 published decisions.

- NOVA SCOTIA SUPREME COURT in 7 published decisions.

- ONTARIO COURT OF APPEAL

Prinzo v. Baycrest Centre for Geriatric Care, [2002] 215 D.L.R. (4th) 31.

Perry, Farley & Onyschuk v. Outerbridge Management Ltd., [2001] 199 D.L.R. (4th) 279.

Hollick v. Metropolitan Toronto (Municipality), [1999] 181 D.L.R. (4th) 426.

889267 Ontario Ltd. v. Norfinch Group Inc., [1998] 6 C.B.R. (4th) 166.

- ONTARIO SUPERIOR COURT OF JUSTICE in 22 published decisions.

- PRINCE EDWARD ISLAND SUPREME COURT (TRIAL DIVISION) in 2 published decisions.

- QUEBEC COURT OF APPEAL

Proulx c. Québec (Procureur général), [1999] Q.J. No. 373.

- SASKATCHEWAN COURT OF APPEAL

Henderson v. Hagblom, [2003] 7 W.W.R. 590.

- SASKATCHEWAN COURT OF QUEEN'S BENCH in 7 published decisions.

"The Role of Fault and Policy in Negligence Law" (1996) 35 Alta. L. Rev. (No. 1) 24 has been cited by:

- ALBERTA COURT OF APPEAL

Fiala v. Cechmanek, [2001] 9 W.W.R. 1.

Canadian Tort Law: Cases, Notes and Materials (11th ed. 1999) (co-authored with A.M. Linden) has been cited by:

- ALBERTA COURT OF APPEAL

Dushynski v. Rumsey, [2003] 9 W.W.R. 72.

- ALBERTA COURT OF QUEEN'S BENCH in 2 published decisions.
- FEDERAL COURT OF CANADA in 3 published decisions.

"Foreseeability, Proximity and Policy" (2002) 25 Advocates Quarterly 360 has been cited by:

- ALBERTA COURT OF QUEEN'S BENCH in 1 published decision.
- BRITISH COLUMBIA SUPREME COURT in 1 published decision.

Tort Law (3rd ed. 2003) has been cited by:

- SUPREME COURT OF CANADA

British Columbia v. Canadian Forest Products Ltd., [2004] 2 S.C.R. 74.

- ALBERTA COURT OF APPEAL

MacKay v. Farm Business [2006] A.J. No. 1336

Hanke v. Resurfice Corp., [2005] 380 A.R. 216.

R. v. Dell, [2005] 367 A.R. 279.

- ALBERTA COURT OF QUEEN'S BENCH in 13 published decisions.
- BRITISH COLUMBIA COURT OF APPEAL

Lawrence v. Prince Rupert (City), [2006] 49 B.C.L.R. (4th) 89.

North King Lodge Ltd. v. Gowlland Towing Ltd., [2006] 47 B.C.L.R. (4th) 20.

Mooney v. British Columbia (Attorney General), [2004] 10 W.W.R. 286.

- BRITISH COLUMBIA SUPREME COURT in 4 published decisions.
- FEDERAL COURT OF CANADA in 1 published decision.
- MANITOBA COURT OF QUEEN'S BENCH in 2 published decision.
- NEW BRUNSWICK COURT OF APPEAL

Walsh v. Nicholls, [2004] 241 D.L.R. (4th) 643.

- NEW FOUNDLAND AND LABRADOR COURT OF APPEAL

Rowe (Guardian ad litem of) v. Sears Canada Inc., [2005] 752 A.P.R. 246.

Bella v. Young, [2004] 716 A.P.R. 35.

Holloway Estate v. Giles, [2004] 693 A.P.R. 229.

- NEW FOUNDLAND SUPREME COURT (TRIAL DIVISION) in 2 published decisions.
- NOVA SCOTIA COURT OF APPEAL

Cheevers v. Halifax (Regional Municipality), [2006] 772 A.P.R. 184.

Flynn v. Halifax (Regional Municipality), [2006] 772 A.P.R. 184.

- NOVA SCOTIA SUPREME COURT in 1 published decision.
- ONTARIO COURT OF APPEAL

Mustapha v. Culligan of Canada, 2006/12/15, Docket C43429

Cowles v Balac [2006] O.J. No. 4177

Aristorenas v. Comcare Health Services, [2006] CarswellOnt 6155.

R. v. Blake, [2005] 206 C.C.C. (3d) 233.

Van Dyke v. Grey Bruce Regional Health Centre, [2005] 255 D.L.R. (4th) 397.

Childs v. Desormeaux, [2004] 239 D.L.R. (4th) 61.

Cottrelle v. Gerrard, [2003] 233 D.L.R. (4th) 45.

- ONTARIO SUPERIOR COURT OF JUSTICE in 28 published decisions.
- PRINCE EDWARD ISLAND SUPREME COURT (TRIAL DIVISION) in 1 published decision.
- SASKATCHEWAN COURT OF APPEAL
 - Babiuk v. Trann*, [2005] 257 Sask. R. 92.
 - Ha v. Harnois*, [2004] 257 Sask. R. 69.
 - Montreal Trust Co. v. Williston Wildcatters Corp.*, [2004] 243 D.L.R. (4th) 317.
- SASKATCHEWAN COURT OF QUEEN'S BENCH in 2 published decisions.

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